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Gregory H. Zayia - Reg. No. 48,059

Name of applicant, assignee or  
Registered Representative

*Gregory Zayia*  
Signature

*October 5, 2001*  
Date of Signature

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OFFICE OF THE COMMISSIONER OF PATENTS

Our Case No. 10200/101  
Cypress Ref. No. PM01009

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hanna A. Bamnolker et al.

Serial No. 09/927,863

Filing Date: August 10, 2001

For: Methods of Forming Semiconductor  
Structures Having Reduced  
Defects, and Articles and Devices  
Formed Thereby

Examiner: To be assigned

Group Art Unit No. 1765

### PETITION UNDER 37 CFR § 1.53(e) RESPONSIVE TO NOTICE OF OMITTED ITEMS IN A NONPROVISIONAL APPLICATION

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Responsive to the Notice of Omitted Items in a Nonprovisional Application dated  
September 14, 2001 (copy enclosed), Applicants hereby petition that the drawing  
sheet containing Figures 6 and 7 described in the specification (copy enclosed), be

10-10-2001 SEE SHEET 00000111 09927863 130.00 00

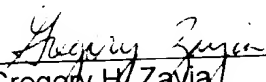
accorded the August 10, 2001 filing date accorded to the other 23 pages of specification (including title page) and three sheets of drawings. The petition fee of \$130 set forth in 37 CFR § 1.17 (h) is enclosed herewith.

In support of this petition, Applicants enclose a copy of the date-stamped postcard receipt returned by the Office, which acknowledges receipt by the Office of "4 Sheets of Drawings" (emphasis added). Applicants note that the drawing sheet containing Figures 6 and 7 described in the specification constitutes the fourth of four drawing sheets submitted to and received by the Office in the above-identified patent application.

Thus, in accordance with MPEP § 503, which states that "[a] postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO," Applicants respectfully request that the present petition be granted. Furthermore, Applicants respectfully request that the petition fee be refunded at such time as the present petition is granted, as required by MPEP § 601.01(d)

The Commissioner is hereby authorized to charge any fees required to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
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Gregory H. Zavala  
Registration No. 48,059  
Agent for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200